GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO:2485
ANSWERED ON:09.05.2016
Cases in Labour Courts
Datta Shri Sankar Prasad;Sawant Shri Arvind Ganpat;Tumane Shri Krupal Balaji

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a)the total number of labour courts/tribunals set up in the country, State/UT-wise;
(b)the number of industrial disputes received, disposed of and pending in various industrial tribunals and labour courts during the last three years, State/UT-wise including Delhi and Mumbai;
(c)whether any time-frame has been fixed for disposal for pending disputes and if so, the details thereof;
(d)whether the Government proposes to appoint more presiding officers in such labour courts keeping in view the rising number of pending disputes and if so, the details thereof, State/UT-wise;
(e)the other steps taken/being taken by the Government for quick disposal of the pending cases; and
(f)the monitoring mechanism put in place by the Government to monitor/ensure strict compliance/implementation of the orders passed by the labour courts/tribunals by the employers?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)
(a): The Government has so far set up 22 Central Government Industrial Tribunals-cum-Labour Courts (CGIT-cum-LCs) in the country. Two CGIT-cum-LCs also function as National Tribunals. List of these CGITs-cum-LCs and National Tribunals is at Annexure-I.
(b): The details of the number of industrial disputes referred by the Government and the number of applications made by the workers and the number of cases/applications disposed of by these Courts/Tribunals during each of the last three years are at Annexure II, III and IV.
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(c): As per the provisions of Industrial Disputes Act, 1947 an Order referring an industrial dispute to a Labour Court/Tribunal/National Tribunal shall specify the period within which such Labour Court/ Tribunal/National Tribunal shall submit its award, provided that where such industrial dispute is connected with an individual workman, no such period shall exceed three months. The Act further provides for extension of above time limit by the Labour Court/ Tribunal/National Tribunal on the request of parties to an industrial dispute, jointly or separately.
(d): According to the Industrial Disputes Act, 1947 "A Labour Court/Tribunal/National Tribunal shall consist of one person only to be appointed by the appropriate Government."
(e): A Scheme of Holding of Lok Adalats as an "Alternative Grievance Redressal Mechanism" has been introduced from the Tenth Five Year Plan (2002-07) for speedy disposal of industrial disputes in the CGIT-cum-LCs as a remedial measure to tide over the backlog of industrial disputes. In addition, the Presiding Officers of the CGIT-cum-LCs hold camp courts in various parts of the area of their jurisdiction so that workers are not required to travel long distance for disposal of their disputes.
(f): The Orders passed by the CGIT-cum-LCs are notified in the official gazette and are implemented by the employers. In majority of cases, the employers implement the orders of the Labour Courts. However, in case an award is not implemented, the worker can approach the Labour Department of the appropriate Government for implementation of the Award. The implementing authority, after following due process of law, prosecutes the employers under section 29 of the Industrial Disputes Act, 1947 for not implementing the Award/Order of the CGIT-cum-LCs.

Further, Section 11 of the Industrial Disputes Act, 1947 has been amended whereby every award made, order issued or settlement arrived at by or before Labour Court or Tribunal or National Tribunal shall be executed in accordance with the procedure laid down for execution of orders and decree of a civil Court under order 21 of the Code of Civil Procedure, 1908. The Labour Court or Tribunal or National Tribunal can also transmit any award, order or settlement to a Civil Court having jurisdiction and such Civil Court shall execute the award, order or settlement as if it were a decree passed by it.

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